

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA



STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I  
DEPARTMENT OF LAND AND NATURAL RESOURCES  
KA 'OIHANA KUMUWAIWAI 'ĀINA

P.O. BOX 621  
HONOLULU, HAWAII 96809

DAWN N.S. CHANG  
CHAIRPERSON  
BOARD OF LAND AND NATURAL RESOURCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
RYAN K.P. KANAKA'OLE  
FIRST DEPUTY  
DEAN D. UYENO  
ACTING DEPUTY DIRECTOR - WATER  
AQUATIC RESOURCES  
BOATING AND OCEAN RECREATION  
BUREAU OF CONVEYANCES  
COMMISSION ON WATER RESOURCE  
MANAGEMENT  
CONSERVATION AND COASTAL LANDS  
CONSERVATION AND RESOURCES  
ENFORCEMENT  
ENGINEERING  
FORESTRY AND WILDLIFE  
HISTORIC PRESERVATION  
KAHOOLAWE ISLAND RESERVE COMMISSION  
LAND  
STATE PARKS

Testimony of  
DAWN N. S. CHANG  
Chairperson

Before the Senate Committees on  
WATER AND LAND  
and  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

Wednesday, March 27, 2024  
1:30 PM

State Capitol, Conference Room 229 and Via Videoconference

In consideration of  
SENATE CONCURRENT RESOLUTION 123/ SENATE RESOLUTION 105  
URGING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
CONVENE A WORKING GROUP TO MAKE RECOMMENDATIONS ON  
SOLUTIONS TO REDUCE WILDFIRE RISK AND THE FEASIBILITY OF  
ESTABLISHING A VEGETATION MANAGEMENT PROGRAM AS IT RELATES TO  
LANDOWNERS AND PUBLIC UTILITIES

Senate Concurrent Resolution 123 and Senate Resolution 105 urges the Department of Land and Natural Resources (Department) to convene a working group to make recommendations on solutions to reduce wildfire risk and the feasibility of establishing a vegetation management program as it relates to landowners and public utilities. **The Department supports the intent of these resolutions and provides the following comments.**

The Department recognizes the need for vegetation management across public and private property and the Department would be a willing participant in any working group that the legislature establishes. However, the Department is concerned that establishing a working group without appropriating funds for the administrative support needs of the group would place an unfunded mandate on the Department that would consume substantial time and resources. The Department prefers the establishment of a working group by Senate Bill 2842 Senate Draft 2, which establishes a broader focused working group on the state's overall wildfire preparedness and mitigation strategies. SB2842 SD2 appropriates funding for the administrative expenses of the working group which includes funding for the establishment of an administrative staff position. This group should be able to develop the framework for vegetation management across

landowners and public utilities as part of its objectives without the need for an additional separate working group.

Mahalo for the opportunity to comment on these resolutions.

---

---

# A BILL FOR AN ACT

RELATING TO WILDFIRE SAFETY AND PREVENTION.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1           SECTION 1. The legislature finds that the State recognizes  
2 the increasing threat of wildfires to our communities, natural  
3 resources, and economy and that the State is committed to  
4 proactively addressing this growing challenge through a  
5 comprehensive and collaborative approach. Understanding the  
6 need for a multifaceted strategy, the legislature further finds  
7 that a working group comprising government agencies, fire  
8 experts, landowners, and stakeholders is required to identify  
9 solutions that address the State's wildfire preparedness and  
10 mitigation challenges and improve the State's wildfire  
11 preparedness and mitigation practices.

12           Accordingly, the purpose of this Act is to establish a  
13 wildfire mitigation working group.

14           SECTION 2. (a) There is established within the department  
15 of land and natural resources a wildfire mitigation working  
16 group to develop a state wildfire mitigation plan and to advise



1 and make recommendations to state agencies concerning the  
2 State's wildfire safety and prevention efforts.

3 (b) The working group shall comprise the following  
4 members:

5 (1) The chairperson of the board of land and natural  
6 resources, or the chairperson's designee, who shall  
7 serve as co-chair of the working group;

8 (2) The chairperson of the state fire council, who shall  
9 serve as co-chair of the working group;

10 (3) The executive officer of the Hawaii emergency  
11 management agency or the executive officer's designee;

12 (4) The director of the office of planning and sustainable  
13 development or the director's designee;

14 (5) The director of transportation or the director's  
15 designee;

16 (6) The director of taxation or the director's designee;

17 (7) A representative of the ranching industry, to be  
18 invited by the chairperson of the state fire council;

19 (8) One member who shall be appointed by the president of  
20 the senate;



- 1 (9) One member who shall be appointed by the speaker of  
2 the house of representatives; and
- 3 (10) A representative of a Hawaii wildfire management  
4 organization, to be invited by the chairperson of the  
5 state fire council.
- 6 (c) The state wildfire mitigation plan shall:
- 7 (1) Identify and map wildfire susceptibility and  
8 vulnerability to determine which communities,  
9 landscapes, buildings, and infrastructure are most  
10 vulnerable to future wildfires;
- 11 (2) Identify tax incentives and develop recommendations  
12 for a competitive grant funding opportunity to reduce  
13 fire risk and support fuels management of private  
14 lands;
- 15 (3) Develop and make recommendations for a system of  
16 monetary support for managing public land to reduce  
17 fire risk;
- 18 (4) Review the emergency resources that are available in  
19 the State to be deployed to address fires;



- 1 (5) Advise and make recommendations to state agencies  
2 concerning the State's wildfire safety, prevention,  
3 and mitigation efforts;
- 4 (6) Develop and make recommendations to the public  
5 utilities commission related to utility wildfire  
6 safety and mitigation performance metrics;
- 7 (7) Develop and make recommendations related to the  
8 contents of electric utility wildfire mitigation and  
9 protection plans and plan updates, pursuant to section  
10 269- , Hawaii Revised Statutes; and
- 11 (8) Provide other advice and recommendations related to  
12 wildfire safety, as requested by the public utilities  
13 commission.
- 14 (d) No member of the working group shall be subject to  
15 chapter 84, Hawaii Revised Statutes, for the sole reason that  
16 the member participates in the working group.
- 17 (e) The working group shall be dissolved on December 31,  
18 2026.

19 SECTION 3. In accordance with section 9 of article VII of  
20 the Hawaii State Constitution and sections 37-91 and 37-93,  
21 Hawaii Revised Statutes, the legislature has determined that the



1 appropriations contained in Act 164, Regular Session of 2023,  
 2 and this Act will cause the state general fund expenditure  
 3 ceiling for fiscal year 2024-2025 to be exceeded by  
 4 \$            or            per cent. This current declaration takes  
 5 into account general fund appropriations authorized for fiscal  
 6 year 2024-2025 in Act 164, Regular Session of 2023, and this Act  
 7 only. The reasons for exceeding the general fund expenditure  
 8 ceiling are that:

- 9        (1) The appropriation made in this Act is necessary to
- 10            serve the public interest; and
- 11        (2) The appropriation made in this Act meets the needs
- 12            addressed by this Act.

13        SECTION 4. There is appropriated out of the general  
 14 revenues of the State of Hawaii the sum of \$            or so much  
 15 thereof as may be necessary for fiscal year 2024-2025 for the  
 16 administrative expenses of the wildfire mitigation working group  
 17 established pursuant to section 2 of this Act, including the  
 18 establishment of one full-time equivalent (1.0 FTE)  
 19 administrative staff position.

20        The sum appropriated shall be expended by the department of  
 21 land and natural resources for the purposes of this Act.



1 SECTION 5. This Act shall take effect on July 1, 2050.





**Report Title:**

Wildfire Mitigation Working Group; DLNR; Wildfire Safety and Prevention; General Fund Expenditure Ceiling Exceeded; Appropriation

**Description:**

Establishes the Wildfire Mitigation Working Group within the Department of Land and Natural Resources to advise and make recommendations to state agencies concerning the State's wildfire safety and prevention efforts. Makes an appropriation. Declares that the appropriation exceeds the general fund expenditure ceiling for 2024-2025. Effective 7/1/2050. (SD2)

*The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.*





STATE OF HAWAII | KA MOKU'ĀINA 'O HAWAI'I  
OFFICE OF THE DIRECTOR  
DEPARTMENT OF COMMERCE AND CONSUMER AFFAIRS  
KA 'OIHANA PILI KĀLEPA  
335 MERCHANT STREET, ROOM 310  
P.O. BOX 541  
HONOLULU, HAWAII 96809  
Phone Number: (808) 586-2850  
Fax Number: (808) 586-2856  
cca.hawaii.gov

JOSH GREEN, M.D.  
GOVERNOR | KE KIA'ĀINA

SYLVIA LUKE  
LIEUTENANT GOVERNOR | KA HOPE KIA'ĀINA

NADINE Y. ANDO  
DIRECTOR | KA LUNA HO'OKELE

DEAN I HAZAMA  
DEPUTY DIRECTOR | KA HOPE LUNA HO'OKELE

## Testimony of the Department of Commerce and Consumer Affairs

Before the  
Senate Committee on Water and Land  
And  
Senate Committee on Public Safety and Intergovernmental and Military Affairs  
Wednesday, March 27, 2024  
1:30 p.m.  
Conference Room 229

On the following measure:  
**S.C.R. 123/ S.R. 105, REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO MAKE RECOMMENDATIONS ON SOLUTIONS TO REDUCE WILDFIRE RISK AND THE FEASIBILITY OF ESTABLISHING A VEGETATION MANAGEMENT PROGRAM AS IT RELATES TO LANDOWNERS AND PUBLIC UTILITIES**

Chair Inouye, Chair Wakai, and Members of the Committees:

My name is Michael Angelo, and I am the Executive Director of the Department of Commerce and Consumer Affairs (Department) Division of Consumer Advocacy. The Department provides comments on this resolution.

The purpose of this resolution is to request the Department of Land and Natural Resources (DNLR) to convene a working group (Working Group) to make recommendations on solutions to reduce wildfire risk and the feasibility of establishing a vegetation management program as it relates to landowners and the public utilities. In addition, the resolution requests: (1) that the Working Group study the need for policy, regulation, and guidance pertaining to the management of and responsibility for

vegetation on public and private lands for wildfire mitigation purposes; (2) that the Working Group study, evaluate, and make recommendations regarding regulations that define property owner obligations to preform vegetation management on public and private property for wildfire mitigation purposes; (3) that the Chairperson of the Board of Land and Natural Resources or the Chairperson's designee serve as the chairperson of the Working Group; (4) that a representative of the Division of Consumer Advocacy of the Department, whose purview includes the public utilities, serve as a member of the Working Group; (5) that the Working Group submit a report of its findings and recommendations, including any proposed legislation, to the Legislature no later than 20 days prior to the convening of the Regular Session of 2025; and (6) to dissolve the Working Group on June 30, 2025.

The tragedy and devastation of the wildfires that arose on Maui during the August 8, 2023, windstorm must be prevented from reoccurring. Vegetation management (including the creation of firebreaks and the removal of buildup of flammable vegetation), is viewed as essential for the mitigation of wildfire risks and the promotion of safer conditions for our communities and the environment. Thus, the Department supports the convening of a Working Group to, among other things, make recommendations on solutions to reduce wildfire risk and the feasibility of establishing a vegetation management program as it relates to landowners and public utilities, as advanced by this resolution.

The Department offers that any review of vegetation management should also consider the wildfire mitigation actions that are being proposed as part of the Hawaiian Electric Company's Climate Adaptation Transmission and Distribution Resilience Program in Docket No. 2022-0135 and the electric utilities' (including Kauai Island Utility Cooperative) hazard mitigation plans to be filed with the Public Utilities Commission (Commission) in the next few months, in response to Commission Order No. 40396. Such plans will be filed as part of a non-docketed proceeding under Case No. 2023-04661.

Thank you for the opportunity to testify on this resolution.

TESTIMONY OF  
LEODOLOFF R. ASUNCION, JR.  
CHAIR, PUBLIC UTILITIES COMMISSION  
STATE OF HAWAII

TO THE  
SENATE COMMITTEES ON  
WATER AND LAND  
and  
PUBLIC SAFETY AND INTERGOVERNMENTAL AND MILITARY AFFAIRS

March 27, 2024  
1:30 p.m.

Chairs Inouye and Wakai, Vice Chair Elefante, and Members of the Committees:

**MEASURE:** SCR 123 / SR 105

**TITLE:** REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO MAKE RECOMMENDATIONS ON SOLUTIONS TO REDUCE WILDFIRE RISK AND THE FEASIBILITY OF ESTABLISHING A VEGETATION MANAGEMENT PROGRAM AS IT RELATES TO LANDOWNERS AND PUBLIC UTILITIES.

**POSITION:**

The Public Utilities Commission (“Commission”) offers the following comments for consideration.

**COMMENTS:**

The Commission appreciates the intent of these Resolutions to find solutions to reduce wildfire risk and the possibility of establishing a vegetation management program as it relates to landowners and public utilities.

The Commission observes several major challenges to vegetation management and landowner compliance that could be addressed by this Working Group. These include fragmented and overlapping responsibilities, lack of consistent statewide data, lack of resources, authority, and motivation, and a poor understanding of cost-effectiveness of

different approaches to vegetation management.<sup>1</sup> The Commission agrees with the Resolutions that there is a need to define property owner obligations to perform vegetation management on public and private property. To this end, it may also be beneficial for the Working Group to create or review maps that define areas of the state in which the financial responsibility of preventing and suppressing fires lies with the state.

The Commission is amenable to serving as a member of the Working Group and looks forward to participating. The Working Group's findings and recommendations will complement the Commission's efforts to further develop requirements for and evaluate utility vegetation management programs and wildfire protection plans.

Thank you for the opportunity to testify on these Resolutions.

---

<sup>1</sup> See California Legislative Analyst's Office, "Reducing the Destructiveness of Wildfires: Promoting Defensible Space in California," published September 30, 2021, available at: <https://lao.ca.gov/Publications/Report/4457>.



**Hawaiian  
Electric**

**TESTIMONY BEFORE THE SENATE COMMITTEES ON  
WATER & LAND  
AND  
PUBLIC SAFETY & INTERGOVERNMENTAL & MILITARY AFFAIRS**

**SCR 123 / SR 105  
REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO  
CONVENE A WORKING GROUP TO MAKE RECOMMENDATIONS ON SOLUTIONS  
TO REDUCE WILDFIRE RISK AND THE FEASIBILITY OF ESTABLISHING A  
VEGETATION MANAGEMENT PROGRAM AS IT RELATES TO LANDOWNERS AND  
PUBLIC UTILITIES**

Wednesday, March 27, 2024  
1:30 PM

State Capitol, Conference Room 229

Wendy Oda  
Manager, Land & Rights of Way  
Hawaiian Electric

Dear Chair Inouye, Chair Wakai, Vice Chair Elefante, and Members of the Committees,

My name is Wendy Oda and I am testifying on behalf of Hawaiian Electric in **strong support** of SCR 123 / SR 105, which requests the Department of Land and Natural Resources to convene a working group to make recommendations on solutions to reduce wildfire risk and the feasibility of establishing a vegetation management program as it relates to landowners and public utilities.

Hawaiian Electric believes that the formation of a working group, consisting of representatives of the State, the Counties, public and private utilities, large private landowners and other stakeholders, is a critical step in addressing the risk of future wildfires in the State. The working group will consider needed wildfire mitigation measures such as regulations identifying the vegetation management obligations of public and private landowners as well as a practical vegetation management program for landowners and public utilities.

Thank you for this opportunity to testify in strong support of SCR 123 / SR 105.



# INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS LOCAL UNION 1260 EMPOWERING THE PACIFIC

## JOINT SENATE COMMITTEE ON WATER & LAND and PUBLIC SAFETY & INTERGOVERNMENTAL & MILITARY AFFAIRS

HEARING DATE: Wednesday, March 27, 2024  
TIME: 1:30 p.m.  
PLACE: State Capitol  
Conference Room 229

RE: Testimony in **Support** of Senate Concurrent Resolution 123 With Requested Amendments

Aloha Honorable Chair(s) Inouye and Wakai, Vice Chair(s) Elefante, and Members of the Joint-Committee;

The International Brotherhood of Electrical Workers Local 1260 (IBEW 1260) would like to respectfully offer the following testimony in **Support** of Senate Concurrent Resolution 123 (SCR 123) with a requested amendment to include a representative from the International Brotherhood of Electrical Workers, Local 1260.

IBEW 1260 is comprised of approximately 3,000 members representing Hawaii's electric utility companies as well as Government Service Contracts throughout Hawaii, Guam, and Wake Island. Our members are a diverse local workforce of dedicated, highly skilled, and trained individuals working 24 hours a day, 7 days a week, to generate, transmit, and distribute electricity throughout Hawai'i and to ensure the reliability of this precious resource.

IBEW 1260 supports SCR 123 requesting the Department of Land and Natural Resources to convene a working group to make recommendations on solutions to reduce wildfire risk and the feasibility of establishing a vegetation management program as it relates to landowners and public utilities.

As noted in SCR 123, utility companies in the State have miles of utility lines installed throughout the State on government and private lands, and that a significant portion of these lands are covered in unmanaged grasses, trees, and other vegetation that may pose a wildfire risk. Tree Trimming is categorized as one of the most dangerous jobs in the nation, but when you add tree trimming at or near energized electric power lines, risks are exacerbated one-hundred-fold.

IBEW1260 represents workers that perform this scope of work and theirs as well as the public's safety is of paramount concern. A similar measure introduced in the House (HCR148) included a representative from IBEW1260. Having a seat at the table to speak on behalf of those that will ultimately perform such hazardous work will ensure public and worker safety is considered. We respectfully request an amendment to SCR123 to include a representative of IBEW 1260 as a member of the working group.

Mahalo for the opportunity to testify on this important matter.

**SCR-123**

Submitted on: 3/23/2024 1:45:21 PM

Testimony for WTL on 3/27/2024 1:30:00 PM

| <b>Submitted By</b>   | <b>Organization</b> | <b>Testifier Position</b> | <b>Testify</b>            |
|-----------------------|---------------------|---------------------------|---------------------------|
| Jacqueline S. Ambrose | Individual          | Support                   | Written Testimony<br>Only |

Comments:

Aloha,

Yes to;- REQUESTING THE DEPARTMENT OF LAND AND NATURAL RESOURCES TO CONVENE A WORKING GROUP TO MAKE RECOMMENDATIONS ON SOLUTIONS TO REDUCE WILDFIRE RISK AND THE FEASIBILITY OF ESTABLISHING A VEGETATION MANAGEMENT PROGRAM AS IT RELATES TO LANDOWNERS AND PUBLIC UTILITIES.